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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

8 Of Counsel to:  
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14 *Attorneys for Plaintiff,*  
15 *David Jackson,*

16 IN THE UNITED STATES DISTRICT COURT  
17 FOR THE MIDDLE DISTRICT OF ALABAMA  
18

19 David Jackson,

Case No.: 3:17-cv-521

20 Plaintiff,

21 vs.

COMPLAINT

22 Experian Information Solutions, Inc.,  
23 an Ohio corporation,  
24 Equifax Information Services, LLC,  
25 a Georgia company,  
26 Trans Union, LLC,  
27 a Delaware limited liability company, and  
28 Navy Federal Credit Union,  
a Virginia corporation,

JURY TRIAL DEMAND

Defendants.

1 NOW COMES THE PLAINTIFF, DAVID JACKSON, BY AND THROUGH  
2 COUNSEL, , and for his Complaint against the Defendants, pleads as follows:  
3  
4  
5

6  
7 **JURISDICTION**

- 8 1. Jurisdiction of this court arises under 15 U.S.C. §1681p.  
9  
10 2. This is an action brought by a consumer for violation of the Fair Credit  
11 Reporting Act (15 U.S.C. §1681 et. seq [hereinafter "FCRA"]).

12  
13 **VENUE**

- 14 3. The transactions and occurrences which give rise to this action occurred in  
15 Phenix City, Russell County, Alabama.  
16  
17 4. Venue is proper in the Middle District of Alabama, Eastern Division.

18 **PARTIES**

- 19  
20 5. Plaintiff is a natural person residing in Phenix City, in Russell County,  
21 Alabama.  
22  
23 6. The Defendants to this lawsuit are:  
24 a. Experian Information Solutions, Inc. ("Experian") which is an Ohio  
25 company that maintains a registered agent in Montgomery County,  
26 Alabama;  
27  
28

- b. Equifax Information Services, LLC (“Equifax”) which is a Georgia company that maintains a registered agent in Montgomery County, Alabama;
- c. Trans Union, LLC (“Trans Union”) which is a Delaware limited liability company that maintains a registered in Montgomery County, Alabama; and
- d. Navy Federal Credit Union (“Navy Federal”) which is a Virginia corporation that maintains a registered agent in Richmond, Virginia.

### **GENERAL ALLEGATIONS**

7. Navy Federal is reporting multiple trade lines on Plaintiff’s Experian, Equifax and Trans Union credit files (“Bogus Trade Lines”). The Bogus Trade Lines are fraudulent as Mr. Jackson is a victim of identity theft.
8. In 2015, Mr. Jackson obtained his credit files and noticed several trade lines and information that did not belong to him. He then filed a police report with the Phenix City police department.
9. On or about May 11, 2017, Mr. Jackson obtained his credit files and noticed the Bogus Trade Lines.
10. On or about May 19, 2017, Mr. Jackson received a letter from Navy Federal attempting to collect a debt for the Bogus Trade Line ending in 2504 in the amount of \$17,375.00.

1 11. On or about May 25, 2017, Mr. Jackson submitted letters to Experian, Equifax  
2 and Trans Union disputing the Bogus Trade Lines. He explained that he is a  
3 victim of identity theft and attached a copy of the police report. He asked  
4 Experian, Equifax and Trans Union to remove the Bogus Trade Lines from his  
5 credit files.  
6

7  
8 12. On or about June 2, 2017, Mr. Jackson received Experian's investigation results  
9 which showed that Navy Federal retained two of the Bogus Trade Lines.  
10

11 13. On or about June 5, 2017, Mr. Jackson received correspondence from Experian  
12 stating that it added a fraud alert to his file.  
13

14 14. On or about June 19, 2017, Mr. Jackson received Equifax's investigation results  
15 which showed that Navy Federal retained all four of the Bogus Trade Lines.  
16

17 15. On or about June 20, 2017, Mr. Jackson received Trans Union's investigation  
18 results which showed that two of the Bogus Trade Lines were deleted.  
19

20 However, the results do not mention the other two Bogus Trade Lines. Trans  
21 Union failed to send Mr. Jackson its reinvestigation results of the other two  
22 Bogus Trade Lines in violation of the FCRA.

23 16. As a direct and proximate cause of the Defendants' negligent and/or willful  
24 failure to comply with the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.,  
25 Plaintiff has suffered credit and emotional damages. Due to the Defendants'  
26 failure to correct the errors in his credit file, Plaintiff has been forced to refrain  
27  
28

1 from applying for new credit or more favorable terms on existing credit lines.  
2 Plaintiff has also experienced undue stress and anxiety due to Defendants'  
3 failure to correct the errors in his credit file or improve his financial situation by  
4 obtaining new or more favorable credit terms as a result of the Defendants'  
5 violations of the FCRA.  
6  
7

8 **COUNT I**

9 **NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
10 **BY NAVY FEDERAL**

11 17. Plaintiff realleges the above paragraphs as if recited verbatim.

12  
13 18. After being informed by Experian and Equifax of Mr. Jackson's consumer  
14 dispute of the of the Bogus Trade Lines, Navy Federal negligently failed to  
15 conduct a proper investigation of Mr. Jackson's dispute as required by 15 USC  
16 1681s-2(b).  
17

18 19. Navy Federal negligently failed to review all relevant information available to it  
19 and provided by Experian and Equifax in conducting its reinvestigation as  
20 required by 15 USC 1681s-2(b). Specifically, it failed to direct Experian and  
21 Equifax to remove the Bogus Trade Lines.  
22

23  
24 20. The Bogus Trade Lines are inaccurate and creating a misleading impression on  
25 Mr. Jackson's consumer credit files with Experian and Equifax to which it is  
26 reporting such trade lines.  
27  
28

1 21. As a direct and proximate cause of Navy Federal's negligent failure to perform  
2 its duties under the FCRA, Mr. Jackson has suffered damages, mental anguish,  
3 suffering, humiliation and embarrassment.  
4

5 22. Navy Federal is liable to Mr. Jackson by reason of its violations of the FCRA in  
6 an amount to be determined by the trier of fact together with reasonable attorneys'  
7 fees pursuant to 15 USC 1681o.  
8

9 23. Mr. Jackson has a private right of action to assert claims against Navy Federal  
10 arising under 15 USC 1681s-2(b).  
11

12 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
13 against the Defendant Navy Federal for damages, costs, interest and attorneys'  
14 fees.  
15

16 **COUNT II**  
17

18 **WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
19 **BY NAVY FEDERAL**

20 24. Plaintiff realleges the above paragraphs as if recited verbatim.

21 25. After being informed by Experian and Equifax that Mr. Jackson disputed the  
22 accuracy of the information it was providing, Navy Federal willfully failed to  
23 conduct a proper reinvestigation of Mr. Jackson's dispute.  
24

25 26. Navy Federal willfully failed to review all relevant information available to it  
26 and provided by Experian and Equifax as required by 15 USC 1681s-2(b).  
27  
28

1 27. As a direct and proximate cause of Navy Federal's willful failure to perform its  
2 duties under the FCRA, Mr. Jackson has suffered damages, mental anguish,  
3 suffering, humiliation and embarrassment.  
4

5 28. Navy Federal is liable to Mr. Jackson for either statutory damages or actual  
6 damages he has sustained by reason of its violations of the FCRA in an amount  
7 to be determined by the trier of fact, together with an award of punitive damages  
8 in the amount to be determined by the trier of fact, as well as for reasonable  
9 attorneys' fees and he may recover therefore pursuant to 15 USC 1681n.  
10  
11

12 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
13 against the Defendant Navy Federal for the greater of statutory or actual damages,  
14 plus punitive damages, along with costs, interest and attorneys' fees.  
15  
16

17 **COUNT III**

18 **NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
19 **BY EXPERIAN**

20 29. Plaintiff realleges the above paragraphs as if recited verbatim.  
21

22 30. Defendant Experian prepared, compiled, issued, assembled, transferred,  
23 published, and otherwise reproduced consumer reports regarding Mr. Jackson  
24 as that term is defined in 15 USC 1681a.  
25

26 31. Such reports contained information about Mr. Jackson that was false,  
27 misleading, and inaccurate.  
28

1 32.Experian negligently failed to maintain and/or follow reasonable procedures to  
2 assure maximum possible accuracy of the information it reported to one or  
3 more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).  
4

5 33. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
6 Experian negligently failed to conduct a reasonable reinvestigation as required  
7 by 15 U.S.C. 1681i.  
8

9 34.As a direct and proximate cause of Experian's negligent failure to perform its  
10 duties under the FCRA, Mr. Jackson has suffered actual damages, mental  
11 anguish and suffering, humiliation, and embarrassment.  
12

13 35.Experian is liable to Mr. Jackson by reason of its violation of the FCRA in an  
14 amount to be determined by the trier fact together with his reasonable attorneys'  
15 fees pursuant to 15 USC 1681o.  
16

17 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
18 against Experian for actual damages, costs, interest, and attorneys' fees.  
19

20 **COUNT IV**

21 **WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
22 **BY EXPERIAN**

23 36.Plaintiff realleges the above paragraphs as if recited verbatim.  
24

25 37.Defendant Experian prepared, compiled, issued, assembled, transferred,  
26 published, and otherwise reproduced consumer reports regarding Mr. Jackson  
27 as that term is defined in 15 USC 1681a.  
28



1 38. Such reports contained information about Mr. Jackson that was false,  
2 misleading, and inaccurate.

3  
4 39. Experian willfully failed to maintain and/or follow reasonable procedures to  
5 assure maximum possible accuracy of the information that it reported to one or  
6 more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).  
7

8 40. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
9 Experian willfully failed to conduct a reasonable reinvestigation as required by  
10 15 U.S.C. 1681i.  
11

12 41. As a direct and proximate cause of Experian's willful failure to perform its  
13 duties under the FCRA, Mr. Jackson has suffered actual damages, mental  
14 anguish and suffering, humiliation, and embarrassment.  
15

16 42. Experian is liable to Mr. Jackson by reason of its violations of the FCRA in an  
17 amount to be determined by the trier of fact together with his reasonable  
18 attorneys' fees pursuant to 15 USC 1681n.  
19

20 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
21 against Experian for the greater of statutory or actual damages, plus punitive damages,  
22 along with costs, interest, and attorneys' fees.  
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**COUNT V**

**NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT  
BY EQUIFAX**

43.Plaintiff realleges the above paragraphs as if recited verbatim.

44.Defendant Equifax prepared, compiled, issued, assembled, transferred,  
published, and otherwise reproduced consumer reports regarding Mr. Jackson  
as that term is defined in 15 USC 1681a.

45.Such reports contained information about Mr. Jackson that was false,  
misleading, and inaccurate.

46.Equifax negligently failed to maintain and/or follow reasonable procedures to  
assure maximum possible accuracy of the information it reported to one or  
more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).

47. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
Equifax negligently failed to conduct a reasonable reinvestigation as required  
by 15 U.S.C. 1681i.

48.As a direct and proximate cause of Equifax's negligent failure to perform its  
duties under the FCRA, Mr. Jackson has suffered actual damages, mental  
anguish and suffering, humiliation, and embarrassment.

1 49. Equifax is liable to Mr. Jackson by reason of its violation of the FCRA in an  
2 amount to be determined by the trier of fact together with his reasonable attorneys'  
3 fees pursuant to 15 USC 1681o.  
4

5 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
6 against Equifax for actual damages, costs, interest, and attorneys' fees.  
7

8 **COUNT VI**

9 **WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
10 **BY EQUIFAX**

11 50. Plaintiff realleges the above paragraphs as if recited verbatim.

12 51. Defendant Equifax prepared, compiled, issued, assembled, transferred,  
13 published, and otherwise reproduced consumer reports regarding Mr. Jackson  
14 as that term is defined in 15 USC 1681a.  
15

16 52. Such reports contained information about Mr. Jackson that was false,  
17 misleading, and inaccurate.  
18

19 53. Equifax willfully failed to maintain and/or follow reasonable procedures to  
20 assure maximum possible accuracy of the information that it reported to one or  
21 more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).  
22

23 54. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
24 Equifax willfully failed to conduct a reasonable reinvestigation as required by  
25 15 U.S.C. 1681i.  
26  
27  
28

1 55. As a direct and proximate cause of Equifax's willful failure to perform its duties  
2 under the FCRA, Mr. Jackson has suffered actual damages, mental anguish and  
3 suffering, humiliation, and embarrassment.  
4

5 56. Equifax is liable to Mr. Jackson by reason of its violations of the FCRA in an  
6 amount to be determined by the trier of fact together with his reasonable  
7 attorneys' fees pursuant to 15 USC 1681n.  
8

9 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
10 against Equifax for the greater of statutory or actual damages, plus punitive damages,  
11 along with costs, interest, and attorneys' fees.  
12

13 **COUNT VII**  
14

15 **NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
16 **BY TRANS UNION**

17 57. Plaintiff realleges the above paragraphs as if recited verbatim.

18 58. Defendant Trans Union prepared, compiled, issued, assembled, transferred,  
19 published, and otherwise reproduced consumer reports regarding Mr. Jackson  
20 as that term is defined in 15 USC 1681a.  
21

22 59. Such reports contained information about Mr. Jackson that was false,  
23 misleading, and inaccurate.  
24

25 60. Trans Union negligently failed to maintain and/or follow reasonable procedures  
26 to assure maximum possible accuracy of the information it reported to one or  
27 more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).  
28

1 61. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
2 Trans Union negligently failed to conduct a reasonable reinvestigation as  
3 required by 15 U.S.C. 1681i.  
4

5 62. Trans Union negligently failed to provide Plaintiff with the results of its  
6 reinvestigation before the end of the 30-day period on the date which Trans Union  
7 received notice of the dispute from Plaintiff as required by 15 U.S.C. 1681i.  
8

9 63. As a direct and proximate cause of Trans Union's negligent failure to perform  
10 its duties under the FCRA, Mr. Jackson has suffered actual damages, mental  
11 anguish and suffering, humiliation, and embarrassment.  
12

13 64. Trans Union is liable to Mr. Jackson by reason of its violation of the FCRA in  
14 an amount to be determined by the trier of fact together with his reasonable  
15 attorneys' fees pursuant to 15 USC 1681o.  
16  
17

18  
19 **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
20 against Trans Union for actual damages, costs, interest, and attorneys' fees.  
21

22 **COUNT VIII**

23 **WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT**  
24 **BY TRANS UNION**

25 65. Plaintiff realleges the above paragraphs as if recited verbatim.  
26  
27  
28

1 66. Defendant Trans Union prepared, compiled, issued, assembled, transferred,  
2 published, and otherwise reproduced consumer reports regarding Mr. Jackson  
3 as that term is defined in 15 USC 1681a.  
4

5 67. Such reports contained information about Mr. Jackson that was false,  
6 misleading, and inaccurate.  
7

8 68. Trans Union willfully failed to maintain and/or follow reasonable procedures to  
9 assure maximum possible accuracy of the information that it reported to one or  
10 more third parties pertaining to Mr. Jackson, in violation of 15 USC 1681e(b).  
11

12 69. After receiving Mr. Jackson's consumer dispute to the Bogus Trade Lines,  
13 Trans Union willfully failed to conduct a reasonable reinvestigation as required  
14 by 15 U.S.C. 1681i.  
15

16 70. Trans Union willfully failed to provide Plaintiff with the results of its  
17 reinvestigation before the end of the 30-day period on the date which Trans Union  
18 received notice of the dispute from Plaintiff as required by 15 U.S.C. 1681i.  
19

20 71. As a direct and proximate cause of Trans Union's willful failure to perform its  
21 duties under the FCRA, Mr. Jackson has suffered actual damages, mental  
22 anguish and suffering, humiliation, and embarrassment.  
23


24 72. Trans Union is liable to Mr. Jackson by reason of its violations of the FCRA in  
25 an amount to be determined by the trier of fact together with his reasonable  
26 attorneys' fees pursuant to 15 USC 1681n.  
27  
28

1       **WHEREFORE, PLAINTIFF PRAYS** that this court grants him a judgment  
2  
3 against Trans Union for the greater of statutory or actual damages, plus punitive  
4 damages, along with costs, interest, and attorneys' fees.

5  
6  
7                               **JURY DEMAND**

8       Plaintiff hereby demands a trial by Jury.

9       DATED: July 31, 2017  
10  
11  
12

13                               By:   
14                               Reginald McDaniel  
15                               Attorney for Plaintiff,  
16                               David Jackson  
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